

I want also to recognize the special work of the Spina Bifida Association of America, an organization that has helped people with Spina bifida and their families for nearly 30 years, working every day to prevent and reduce suffering from this devastating birth defect. The SBAA was founded in 1973 to address the needs of the individuals and families affected by Spina bifida and is currently the only national organization solely dedicated to advocating on behalf of the Spina bifida community. As part of its service through approximately 60 chapters in more than 125 communities across the country, the SBAA puts expecting parents in touch with families who have a child with Spina bifida. These families answer questions and concerns and help guide expecting parents. The SBAA then works to provide lifelong support and assistance for affected children and their families.

Together, the SBAA and the Spina Bifida Association of Connecticut work tirelessly to help families meet the challenges and enjoy the rewards of raising their child. I would like to acknowledge and thank SBAA and the SBAC for all that they have done for the families affected by this birth defect, especially those living in my State. The Spina bifida community and our nation owe a tremendous debt to the SBAA for its work over the past three decades. I am honored to be an honorary co-chair along with Majority Leader FRIST of the 16th Annual Roast for Spina Bifida to benefit the Association and its work in local communities around the country.

As a nation, we have accomplished a great deal in our battle against birth defects. However, much more work remains to be done. I urge all of my colleagues and all Americans to endorse the important efforts to prevent Spina Bifida but also to support those already living with this often debilitating birth defect. Those living with Spina bifida and their loved ones deserve our utmost support. It is my hope that by recognizing National Spina Bifida Awareness Month we can move closer to the laudable goal of eventually eliminating the suffering caused by this terrible birth defect.

INTELLECTUAL PROPERTY LEGISLATION

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. LEAHY. Mr. President, we live in a nation of the most creative and inventive people in the world, but apparently some of my Republican colleagues do not appreciate them or their efforts. Thanks to the ingenuity, the inspiration, and the hard work of thousands of our fellow citizens, the United States enjoys the best in artistic expression and technological advancement, but that seems to mean little to those Senators. We enjoy the fruits of the labors of all the inventors and au-

thors and artists—and of all the people who work in connection with them—not only as individuals but as a nation, but not everyone here recognizes the debt we owe them. In the twenty-first century, it is intellectual property that keeps this country at the forefront of the world economy, and what preserves our force as a global power, and I would think that those across the aisle would value the importance of that power.

Affording that intellectual property the most straightforward and reasonable protections, and giving law enforcement officials the resources to give those protections genuine power, would seem to be a sensible goal. Indeed, failing to do so would be unconscionable. In the United States, copyright industries alone account for 12 percent of the gross domestic product, and employ more than 11 million people. Those copyright industries have been adding workers at an annual rate that exceeds that of the economy as a whole by 27 percent, and those industries have achieved annual foreign sales and exports of almost \$90 billion. But some Republicans are preventing the Senate from passing the most important intellectual property legislation before the Congress this year, and they are hiding behind anonymous holds. This is wrong.

Senator HATCH and I, and many of our colleagues on the Judiciary Committee, have been working on this legislation for some time now—most recently doing so late at night and through the weekends. We have done so because of the crushing need to ensure that the intellectual property laws are adequate to the legitimate and pressing concerns raised by many about the effectiveness of those laws. We have a package of strong and significant measures that would bolster protection of the intellectual property that drives our nation's economy and that would ensure law enforcement has the tools it needs to offer that protection. There was no reason not to send this package to the House immediately, and work with our colleagues there to ensure it became enacted into law, as soon as humanly possible.

In blocking this legislation, these Republicans are failing to practice what they have so often preached during this Congress. For all of their talk about jobs, about allowing the American worker to succeed, they are now placing our economy at greater risk through their inaction. It is a failure that will inevitably continue a disturbing trend: our economy loses literally hundreds of billions of dollars every year to various forms of piracy.

Instead of making inroads in this fight, we have the Republican intellectual property roadblock. It is a barrier that stands in the way of the CREATE Act, a noncontroversial bill the text of which has already passed both the Senate and House. The CREATE Act clarifies an important component of the Bayh-Dole Act that, when read literally by the courts, runs counter to

Congress's intent. By failing to make this clarification Congress is creating a deterrent to forming the very same public-private research partnerships meant to be encouraged by that Act. These partnerships have proved incredibly beneficial to universities, the private sector, the American worker, and the U.S. economy. All are placed in jeopardy by Congressional inaction.

The roadblock has also scuttled the ART Act, a bill that passed the Judiciary Committee and then the full Senate by unanimous consent. This legislation would have provided new tools in the fight against bootleg copies of movies snatched from the big screen by camcorders smuggled into theaters. And it would have adopted a creative solution developed by the Copyright Office to address the growing problem of piracy of pre-release works. Our anonymous Republican friends have ensured that these problems are left unaddressed by the 108th Congress.

The PIRATE Act, too, passed the Senate by unanimous consent. That bill would have given to the Attorney General new tools in the fight against piracy of books, music, movies and other creative works. Senator BIDEN's Anticounterfeiting Act, which would have marked a step forward in the fight against software piracy, was also included in the intellectual property package. We can tell our software companies that they will have to wait at least another year for the remedies promised by this legislation. And it is important to note that the Business Software Alliance tell us that \$29 billion in software was stolen in 2003 alone.

There are other noncontroversial provisions in this legislation as well, such as language that would help ensure that the Library of Congress is able to continue its important work in archiving our nation's fading film heritage. Some of America's oldest films—works that document who we were as a people in the beginning of the 20th century—are literally disintegrating faster than they can be saved.

None of these were partisan provisions. And when Senator HATCH and I put our names on the same piece of legislation, you can bet that the result is never a bill that veers very far to the right or the left. He and I have worked together to produce a great deal of good intellectual property policy over the years, and I am sorry to see that some on his side of the aisle have blocked our efforts at similar progress this year.

We can foresee the disappointing result of this roadblock: our copyright holders will suffer, our patent holders will suffer, and so too will the American worker. In yet another important area, the Republicans that control the House of Representatives, the Senate, and the White House, have failed to respond to the needs of the American people. That is a shame.●